

11-2-04

DEAR B.L.W.

I WANT TO GO ON RECORD, EXPRESSING
MY CONCERNS OVER THE PROPOSED GEO-
THERMAL LEASE AT SPENCERS HOT SPRINGS.
HAVING READ THE EA - NV063-EA04-59

1-1 I WANT TO MAKE SURE THAT YOU FOLKS
SPECULATE THAT STOCK WATERING AND
PUBLIC RECREATION REMAIN A PART
OF THE ARMY. PEOPLE OF THE VALLEY HAVE
USED THAT HOT SPRINGS SINCE BEFORE
NEVADA WAS A STATE. I SUGGEST
160 ACRES BE RESERVED FOR FUTURE
USE AS RECREATION AROUND THE
POOLS.

BUREAU OF LAND MANAGEMENT
BATTLE MOUNTAIN
FIELD OFFICE
2004 NOV - 8 P 12: 25

RECEIVED
MAIL ROOM

Sincerely

Frank B. Whitman

FRANKLIN B. WHITMAN
P.O. BOX 239
AUSTIN NV
89310

ALLEN BIAGGI
Director
Department of Conservation
and Natural Resources

PAMELA B. WILCOX
Administrator

KENNY C. GUINN
Governor



State Land Office
State Land Use Planning Agency

Address Reply to

Division of State Lands
333 W. Nye Lane, Room 118
Carson City, Nevada 89706-0857
Phone (775) 687-4363
Fax (775) 687-3783
Web www.lands.nv.gov

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2004 NOV -8 P 12: 26
BUREAU OF LAND MANAGEMENT
BATTLE MOUNTAIN

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Division of State Lands

November 4, 2004

Mike Stafford
Nevada State Clearinghouse
209 East Musser Street, Room 200
Carson City, NV 89701

RE: E2005-085, EA for Geothermal Lease at Spencer Hot Springs
Reference: BLM NV063-EA04-59

Dear Mike:

The Division of State Lands has reviewed this proposal and offers the following comments. There are no lands under the jurisdiction of the Division of State Lands in the general vicinity that will be adversely affected by the proposed action. This agency recognizes and supports the development of clean energy resources in Nevada. Nevada's abundant geothermal potential creates the possibility of promising economic development that will benefit Lander County and the State.

2-1 At the same time, this agency stresses the need to balance energy development with the recreational and natural resources of Lander County and the state in general. The springs have historical, cultural and traditional significance as well as current dispersed recreational uses that are valued by both local residents and others from the region.

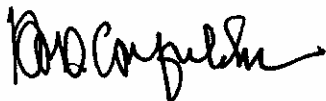
2-2 Lander County is considering seeking a recreational R&PP lease for land around the springs. Although the EA notes this fact, the document does not adequately address the significance of this potential county effort. In fact, the EA, on page 5 of Appendix B, "Geothermal Lease Stipulations", states that there are no identified stipulations under the "Recreation" category. The EA fails to recognize the importance of the county's desire to protect the springs for recreational purposes. At a meeting of the Lander County Public Land Use Advisory Commission (PLUAC) on November 1, 2004, the board expressed its concern about this very issue.

2-3 The EA is deficient in providing mitigation measures that would proactively address a possible Lander County recreational R&PP use in very close proximity to geothermal activities. These activities could have a very detrimental affect on the experience of the recreational users that the county desires to attract to Spencer Hot Springs.

2-4 The challenge for this EA is to adequately explain how to seek clean energy while not sacrificing the character of special places. The answer may be in limiting the lease to areas beyond a recreational "buffer" around the springs. Within the buffer, no geothermal activities would occur. The buffer should be agreed upon through a transparent public process that includes the feedback of those who use the springs as well as the PLUAC and Lander County Commission. As stated in Section 1.2, "Purpose and Need for the Proposed Action", BLM has three options. The proposed action would allow leasing on the entire site. Another of the options would result in BLM issuing a lease on a *portion* of the requested area. The EA should look very closely at this option in light of the county's recreational aspirations at Spencer Hot Springs.

Thank you for the opportunity to comment on this proposal. If you have any questions, please feel free to contact me at 775-687-4364 ex 235.

Sincerely,

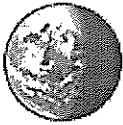


Don D. Canfield III, AICP (Skip)
Senior Planner

cc: Pamela B. Wilcox, Administrator, Nevada Division of State Lands
Jim Lawrence, Deputy Administrator

Caleb Hiner
Bureau of Land Management
Battle Mountain Field Office
50 Bastian Road
Battle Mountain, NV 89820

COMMENT LETTER 3



"James Morefield"
<jdmore@heritage.nv.gov>

11/22/2004 01:17 PM

Please respond to
<jdmore@heritage.nv.gov>

To <chiner@nv.blm.gov>

cc

bcc

Subject Spencer Hot Springs EA #NV063-EA04-59

22 November 2004

Bureau of Land Management
Battle Mountain Field Office
Attn: Caleb Hiner, Geologist
50 Bastian Road
Battle Mountain NV 89820

(via email)

Dear Mr. Hiner,

On behalf of our agency and the State of Nevada, thank you for the opportunity to provide comment and input to the EA for the Spencer Hot Springs Area Geothermal Leases (NV063-EA04-59).

In general, we are satisfied with the analysis that has been conducted, and with the lease stipulations and mitigation measures that are outlined in the EA. We do have one request for modification:

3-1

We request that Palmer penstemon (*Penstemon palmeri*) be removed from all reclamation seed mixes in Appendix D of the EA, and that this species not be planted in or near the project area. This is for the following reason:

Commercially available Palmer penstemon is always (to our knowledge) of the variety native to southern and eastern Nevada (*Penstemon palmeri* var. *palmeri*). There is another variety, Lahontan beardtongue (*Penstemon palmeri* var. *macranthus*) that is much rarer, and grows naturally in Churchill, Pershing, Nye, and possibly Lander and Eureka counties. This Nevada endemic is on the BLM Sensitive Species List, due to its rarity, and also because it is vulnerable to hybridization with the common variety (var. *palmeri*) when the latter is planted outside its native area.

For this reason, we generally request that commercially available Palmer penstemon not be planted in Nevada outside its native range (Clark, southern Nye, Lincoln, White Pine, and southern Elko counties). This will help minimize swamping of var. *macranthus* genes by var. *palmeri* genes, which could lead to endangerment of our endemic var. *macranthus*.

Thank you again for considering our comments.

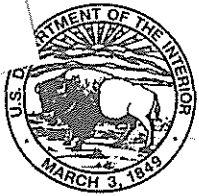
Sincerely,

--Jim Morefield

~~~~~

James D. Morefield, Ph.D., Botanist & Webmaster  
State of Nevada  
Department of Conservation & Natural Resources  
Nevada Natural Heritage Program  
1550 East College Parkway, suite 137





COMMENT LETTER 4

# United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
Reston, VA 20192  
RECEIVED  
MAIL ROOM



November 16, 2004

2004 NOV 18 A 11:27

Bureau of Land Management  
Battle Mountain Field Office  
Attn: Caleb Hiner, Geologist  
50 Bastian Road  
Battle Mountain, NV 89820

BUREAU OF LAND MANAGEMENT  
BATTLE MOUNTAIN  
FIELD OFFICE

Caleb Hiner:

4-1

The U.S. Geological Survey has reviewed the DRAFT EA FOR THE SPENCER HOT SPRINGS AREA GEOTHERMAL LEASES and has no comments.

Thanks

\*\*\*\*\*

Brenda Johnson  
Office of Environmental Affairs Program  
U.S. Geological Survey  
423 National Center  
Reston, VA 20192  
Tele (703) 648-6832  
Fax (703) 648-4530

\*\*\*\*\*

|                                | ACT | INF | INT | DATE     |
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| DM                             |     |     |     |          |
| ADM                            |     |     |     |          |
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| NR                             | ✓   |     |     | 11/18/04 |
| FIRE                           |     |     |     |          |
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| FILE/LIBRARY/TOSS (CIRCLE ONE) |     |     |     |          |

November 21<sup>st</sup>, 2004

Bureau of Land Management  
Battle Mountain Field Office  
Attn: Caleb Hiner, Geologist  
50 Bastian Road  
Battle Mountain, NV 89820

Reference: NV063-EA04-59, NVN-077778; NVN 077779; NVN 077780  
1310 (nv063)  
Spencer Hot Springs Geothermal Leases Environmental Assessment

Dear Sirs,

Upon receipt and review of the Environmental Assessment referenced above, the Greater Austin Chamber of Commerce wishes to submit the following comments:

5-1 Spencer Hot Springs has been, from pioneer days, a major point of interest and used historically as a way-point and camping by travelers traversing the area.

Austin and Big Smoky Valley residents, along with many modern day tourists and visitors, have enjoyed the attractions and beauty of the springs. Most of the Spencer Hot Springs improvements, although minor in nature, were constructed by these people.

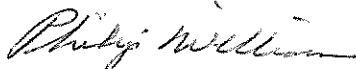
5-2 The Greater Austin Chamber of Commerce is in favor of alternate energy development but feel the Spencer Hot Springs area should be preserved.

We would suggest that 160 acres surrounding the springs **not be included in any geothermal lease, or a "No Surface Occupation" stipulation be applied to the same 160 acres.** In either case, we would suggest that high standards of observation and preservation be strictly imposed to ensure no change in flow, temperature, or volume occurs at the springs themselves.

5-3 Our Chamber of Commerce, cooperating with the Lander County Board of Commissioners, has been working to develop a plan for public and safe use of the springs. Hopefully, this could result in Lander County leasing or purchasing the Spencer Hot Springs property from the BLM.

5-4 Spencer Hot Springs area is part of a broad 'economic development' plan initiated by the Chamber that includes other Federal outdoor physical recreation attractions/facilities.

Yours truly,



Hy T. Forgeron  
DISTRICT ATTORNEY

Allen D. Gibson  
DEPUTY



Georgia Jordan  
OFFICE MANAGER  
PARALEGAL

RECEIVED  
MAIL ROOM

Jeanne Falzone  
LEGAL SECRETARY

Elizabeth Barela  
LEGAL SECRETARY

2004 NOV 22 P 2:40

DISTRICT ATTORNEY  
LANDER COUNTY, NEVADA

315 S. Humboldt  
P.O. Box 187  
Battle Mountain, Nevada 89820  
(775) 635-5195  
Facsimile (775) 635-8209

BUREAU OF LAND MANAGEMENT  
BATTLE MOUNTAIN  
FIELD OFFICE

November 22, 2004

Bureau of Land Management  
Battle Mountain Field Office  
50 Bastian Road  
Battle Mountain, Nevada 89820

Attn: Mr. Caleb Hiner, Geologist

RE: NV063-EA04-59, NVN-077778, NVN-077779, NVN-077780, 1310, (NV063)  
Spencer Hot Springs Geothermal Leases Environmental Assessment

Dear Mr. Hiner:

At a regular public meeting of the Board of County Commissioners of Lander County, the subject of the proposed geothermal lease in the Spencer Hot Springs area was discussed.

The purpose of this letter is to supply the official comment from the Board of County Commissioners to the Bureau of Land Management concerning this environmental assessment.

6-1

Please be advised the Board has voted unanimously to recommend that the Spencer Hot Springs area itself be excluded from the overall proposed geothermal lease. While geothermal energy development is a desirable goal, the Board feels that the exclusion of a relatively small parcel from the approximately 8,500 acres sought to be leased will not unduly affect the project but will be of significant benefit to the public.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Hy Forgeron".

Hy Forgeron, Esq.  
Lander County District Attorney

HTF/jf



## COMMENT LETTER 7

**Ray Williams, member of  
Lander County Public Lands Adv. Commission**

P.O. Box 111  
Austin, Nevada, 89310  
775 964 2301  
toiyabe@pcinv.com

November 22, 2004

Bureau of Land Management  
50 Bastian Road  
Battle Mountain, Nevada 89820

Attn: Mr. Caleb Hiner, Geologist

Re: Recommendation and Comments on Environmental Assessment NV063-  
EA04-59.

Dear Mr Hiner,.

At our regular scheduled meeting of the PLUAC in Austin on November 1,  
2004 the Environmental Assessment on Spencer Hot Springs Area  
Geothermal Leases was reviewed and as a member of the Advisory Board I  
would like to submit the following comments for the record:

7-1 That considerations be given to residents and traveling public that reflect  
the best interests and protections of prior vested traditional uses of the  
area known as Spencers' Hot springs.

The Spencer Hot Spring site has been a popular stop for the locals and the  
traveling public for over 160 years and was used by Native Americans prior  
to that time. In addition to bathing, the immediate area surrounding the  
springs have been used for grazing, mining, stock and wild life watering,  
wildlife viewing, and has been a area that offers opportunity for solitude  
and meditation.

7-2 The EA mentions on page 4 that there were 4 letters received but the  
letters are not included for review. For instance the Lander County  
Commission voted to submit comments as did the State of Nevada Clearing  
house and those comments are not included as required by law.

7-3 The Advisory board recognizes the economic benefits of a Alternative  
power plant in Southern Lander County however It also recommends that th  
a set aside from the proposed lease area of a minimum of 160 acres  
surrounding the existing springs and wells for future enjoyment of  
traditional uses of the area known as Spencer's Hot Springs.

Sincerely,

  
Ray Williams, Member of the Board.

KENNY C. GUINN  
Governor

COMMENT LETTER 8

STATE OF NEVADA

JOHN P. COMEAUX  
Director

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MAIL ROOM

2004 NOV 22 P 2:06

BUREAU OF LAND MANAGEMENT  
BATTLE MOUNTAIN  
FIELD OFFICE



DEPARTMENT OF ADMINISTRATION

209 E. Musser Street, Room 200  
Carson City, Nevada 89701-4298  
Fax (775) 684-0260  
(775) 684-0209

|                                 | ACT | INF | INT | DATE |
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| DM                              |     |     |     |      |
| ADM                             |     |     |     |      |
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| FIRE                            |     |     |     |      |
| TFS                             |     |     |     |      |
| FILE/ LIBRARY/TOSS (CIRCLE ONE) |     |     |     |      |

November 18, 2004

Gail Givens, Assistant Field Manager  
Bureau of Land Management  
50 Bastian Road  
Battle Mountain, Nevada 89820

Re: SAI NV # E2005-085  
Project: NV063-EA04-59 NVN-077778, N077779, N077780 1310 (NV063)

Dear Ms. Givens:

Enclosed are the comments from the Nevada Division of State Lands regarding the above referenced document. These comments constitute the State Clearinghouse review of this proposal as per Executive Order 12372.

Please address these comments or concerns in your final decision. If you have questions, please contact me at (775) 684-0209.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Stafford".

Michael J. Stafford  
Nevada State Clearinghouse Coordinator/SPOC

Enclosure

ALLEN BIAGGI  
*Director*  
Department of Conservation  
and Natural Resources

PAMELA B. WILCOX  
*Administrator*

KENNY C. GUINN  
*Governor*



State Land Office  
State Land Use Planning Agency

*Address Reply to*

Division of State Lands  
333 W. Nye Lane, Room 118  
Carson City, Nevada 89706-0857  
Phone (775) 687-4363  
Fax (775) 687-3783  
Web [www.lands.nv.gov](http://www.lands.nv.gov)

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Division of State Lands

November 4, 2004

Mike Stafford  
Nevada State Clearinghouse  
209 East Musser Street, Room 200  
Carson City, NV 89701

**RECEIVED**

NOV 05 2004

DEPARTMENT OF ADMINISTRATION  
OFFICE OF THE DIRECTOR  
BUDGET AND PLANNING DIVISION

RE: E2005-085, EA for Geothermal Lease at Spencer Hot Springs  
Reference: BLM NV063-EA04-59

Dear Mike:

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8-1

At the same time, this agency stresses the need to balance energy development with the recreational and natural resources of Lander County and the state in general. The springs have historical, cultural and traditional significance as well as current dispersed recreational uses that are valued by both local residents and others from the region.

8-2

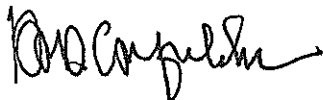
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Thank you for the opportunity to comment on this proposal. If you have any questions, please feel free to contact me at 775-687-4364 ex 235.

Sincerely,



Don D. Canfield III, AICP (Skip)  
Senior Planner

cc: Pamela B. Wilcox, Administrator, Nevada Division of State Lands  
Jim Lawrence, Deputy Administrator

Caleb Hiner  
Bureau of Land Management  
Battle Mountain Field Office  
50 Bastian Road  
Battle Mountain, NV 89820